



# River Bourne Community Farm Education Department Data Protection Policy

September 2024

The Directors and staff of River Bourne Community Farm are committed to ensuring that all personal data collected is processed in accordance with all relevant data protection laws including the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA 2018).

River Bourne Community Farm is registered as a data controller with the Information Commissioner. Reference No: ZB599387.

The Education Department of River Bourne Community Farm is registered on the UK Register of Learning Providers. Reference No: 10093824.

## **Purpose**

This policy is intended to ensure that personal information is dealt with correctly and securely. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

## **Definition of Personal Data**

Personal information or data is defined as data (whether stored electronically or paper based) which relates to a living individual who can be identified from that data, or other information held.

The farm may process a wide range of personal data of staff, students, parents, volunteers and other individuals who come into contact with the farm. This information is gathered in order to enable it to provide education and other associated functions.

## **Data Protection Principles**

The GDPR is based on 7 key data protection principles.

The Farm will ensure that data is:

- Processed lawfully, fairly and in a transparent manner.
- Collected for specified, explicit and legitimate purposes.
- Adequate, relevant and limited to what is necessary for the intended purposes.
- Accurate and where necessary, kept up to date.
- Kept in a form which permits identification for no longer than necessary for the intended purposes
- Processed in a way that ensures it is appropriately secure.

- Not transferred to people or organisations situated in countries without adequate protection and without firstly having advised the individual.

### **General Statement**

The farm is committed to maintaining the above principles at all times. Therefore, the farm will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

### **Complaints**

Complaints will be dealt with in accordance with the farm's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

### **Review**

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Education Manager, or nominated representative.

### **Contacts**

If you have any enquires in relation to this policy, please contact **The Farm Manager, ([Office@riverbournecommunityfarm.org.uk](mailto:Office@riverbournecommunityfarm.org.uk)) Tel: 01722 330667** who will also act as the contact point for any subject access requests.

## Appendix 1

### River Bourne Community Farm Subject Access Requests

Procedures for responding to subject access requests made under the Data Protection Act 2018.

#### Actioning a subject access request

1. Requests for information must be made in writing; which includes email, and be addressed to **Sara-Jane Hancock**. If the initial request does not clearly identify the information required, then further enquiries will be made.

2. The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:

- passport
- driving licence
- utility bills with the current address
- Birth / Marriage certificate
- P45/P60
- Credit Card or Mortgage statement

*This list is not exhaustive.*

3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Education Co-ordinator should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.

4. The farm may make a charge for the provision of information, dependant upon the following:

- Should the information requested contain the educational record then the amount charged will be dependant upon the number of pages provided.
- Should the information requested be personal information that does not include any information contained within educational records the farm can charge up to £10 to provide it.
- If the information requested is only the educational record viewing will be free, but a charge not exceeding the cost of copying the information can be made by the Headteacher.

5. The response time for subject access requests, once officially received, is one month (**not working or school days but calendar days, irrespective of school holiday periods**). However, the one month will not commence until after receipt of fees or clarification of information sought. This can be extended by a further 2 months if the request is complex or if we have received a number of requests from an individual.

6. The Data Protection Act 2018 allows exemptions as to the provision of some information; **therefore all information will be reviewed prior to disclosure.**

7. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the one month statutory timescale.

8. Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.

9. If there are concerns over the disclosure of information then additional advice should be sought.

10. Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.

11. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.

12. Information can be provided at the farm with a member of staff on hand to help and explain matters if requested, or provided at face-to-face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used.

### **Complaints**

Complaints about the above procedures should be made to the Directors of the farm who will decide whether it is appropriate for the complaint to be dealt with in accordance with the school's complaint procedure.

Complaints which are not appropriate to be dealt with through the farm's complaint procedure can be dealt with by the Information Commissioner. Contact details of both will be provided with the disclosure information.

### **Contacts**

If you have any queries or concerns regarding these policies / procedures then please contact **Sara-Jane Hancock** – Education Co-ordinator.

Further advice and information can be obtained from the Information Commissioner's Office, [www.ico.gov.uk](http://www.ico.gov.uk) or telephone